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**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:  
  
USA COMMERCIAL MORTGAGE COMPANY,  
  
USA CAPITAL REALTY ADVISORS, LLC,  
  
USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
  
USA SECURITIES, LLC,  
  
Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**NOTICE OF HEARING RE OBJECTION OF  
USACM TRUST TO THE SANDLER LIVING  
TRUST'S CLAIM FILED AS SECURED AND  
IN WRONG DEBTOR'S CASE; OBJECTION  
OF DTDF TO PROPOSED ALLOWANCE OF  
CLAIM; AND CERTIFICATE OF SERVICE**

Hearing Date: November 2, 2007  
Hearing Time: 9:30 a.m.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☒ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

**NOTICE OF OBJECTION TO CLAIM AND HEARING**  
**THE USACM LIQUIDATING TRUST AND USA CAPITAL DIVERSIFIED**  
**TRUST DEED FUND, LLC ARE OBJECTING TO THE CLAIM THAT YOU**

1 **FILED. UNLESS THE RESPONSE DEADLINE IS ADVANCED BY THE COURT,**  
2 **THE DEADLINE TO RESPOND TO THE OBJECTION IS OCTOBER 26, 2007.**  
3 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY COURT TO**  
4 **DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS REGARDING THE**  
5 **AMOUNT OF A CLAIM OR THE FILING OF A CLAIM SHOULD BE**  
6 **DIRECTED TO THE UNDERSIGNED COUNSEL.**

7 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
8 through its counsel, has filed an Objection to your claim filed in USA Commercial  
9 Mortgage Company, Case No. 06-10725 on the ground that 1) the claim is not secured by  
10 property of the USA Commercial Mortgage Company estate; and 2) the claim is based  
11 upon an equity interest in USA Capital Diversified Trust Deed Fund, LLC ("DTDF") Case  
12 No. 06-10727. DTDF, by and through its counsel, further objects to any proposed  
13 allowance of your claim against the DTDF estate because your equity interest in DTDF  
14 has already been deemed allowed. A copy of the Objection is provided to you with this  
15 notice.

16 The Objection requests that the Court enter an order disallowing all or part of your  
17 claim as to USACM and DTDF. If the Court grants the requested relief, it will not affect  
18 your existing equity interest in the DTDF estate to the extent you hold an equity interest in  
19 DTDF.

20 **NOTICE IS FURTHER GIVEN** that, unless the hearing date is advanced by the  
21 Court, the hearing on the Objection will be held before the Honorable Linda B. Riegle,  
22 United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard  
23 South, Courtroom 1, Las Vegas, Nevada, on **NOVEMBER 2, 2007 at the hour of**  
24 **9:30 a.m. THE HEARING WILL BE HELD FOR THE PURPOSE OF STATUS**  
25 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**  
26 **ARGUMENTS WILL BE HEARD ON THAT DATE. HOWEVER, IF THERE IS**

1 NO RESPONSE TO THE OBJECTION, THE COURT MAY GRANT THE  
2 RELIEF REQUESTED IN THE OBJECTION AND DISALLOW THE CLAIMS  
3 FILED AGAINST USACM AND THE DTDF.

4 NOTICE IS FURTHER GIVEN that, unless the response deadline is advanced by  
5 the Court, any response to the Objection must be filed by October 26, 2007 pursuant to  
6 Local Rule 3007(b), which states:

7 If an objection to a claim is opposed, a written response must be filed and  
8 served on the objecting party at least 5 business days before the scheduled  
9 hearing. A response is deemed sufficient if it states that written  
10 documentation in support of the proof of claim has already been provided to  
11 the objecting party and that the documentation will be provided at any  
12 evidentiary hearing or trial on the matter.

11 If you object to the relief requested, you *must* file a **WRITTEN** response to  
12 this pleading with the Court. You *must* also serve your written response on  
13 the person who sent you this notice.

13 If you do not file a written response with the Court, or if you do not serve  
14 your written response on the person who sent you this notice, then:

- 14 • The Court may *refuse to allow you to speak* at the scheduled hearing;  
15 and
- 16 • The Court may *rule against you* without formally calling the matter at  
17 the hearing.

17 Dated: September 19, 2007.

18 **SNELL & WILMER, LLP**

18 **LEWIS AND ROCA LLP**

19  
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Certificate of Service

I certify that a copy of the foregoing was served via first class mail, postage prepaid,  
addressed as set forth below, on this 19th day of September, 2007 to:

The Sandler Living Trust  
c/o Robert B. and Patricia D. Sandler, Trustee  
8912 E. Pinnacle Road, Box 591  
Scottsdale, AZ 85255

/s/ Christine E. Laurel  
Christine E. Laurel  
Lewis and Roca LLP